

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Llew Jones, on March 17, 2015 at 8:00 AM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chair (R)
Sen. Bob Keenan, Vice Chair (R)
Sen. Mark Blasdel (R) (arrived after roll call)
Sen. John Brenden (R)
Sen. Mary Caferro (D) (arrived after roll call)
Sen. Bradley Hamlett (D)
Sen. Kris Hansen (R)
Sen. David Howard (R) (arrived after roll call)
Sen. Jim Keane (D) (arrived after roll call)
Sen. Frederick (Eric) Moore (R)
Sen. Mike Phillips (D)
Sen. Rick Ripley (R)
Sen. Matthew M. Rosendale Sr (R)
Sen. Jon C. Sesso (D) (arrived after roll call)
Sen. Cary Smith (R)
Sen. Janna Taylor (R)
Sen. Roger Webb (R) (arrived after roll call)
Sen. Jonathan Windy Boy (D) (arrived after roll call)
Sen. Cynthia Wolken (D) (arrived after roll call)

Members Excused: None

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Julie Johnson, Legislative Branch
Jon Moe, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 402, 3/10/2015; HB111, 3/13/2015; HB 330, 3/13/2015

Executive Action: HB 28 Be Concurred in as Amended; HB 180 Be Concurred In As Amended; HB 244 Be Concurred In As Amended; SB 99 Do Pass

HEARING ON HB 402**Opening Statement by Sponsor:**

00:02:27 Rep. Austin Knudsen (R), HD 34, opened the hearing on HB 402, Generally revise laws related to oil and gas development.

Proponents' Testimony:

00:09:54 E. J. Redding, representing Roosevelt County
00:11:14 Jason Rittal, executive director, Eastern Plains Economic Development Corporation (EPEDC)
00:12:38 Martin DeWitt, Great Northern Development Corporation (GNDC)
00:13:43 Dana Berwick, Rural Fire District #64
00:16:39 Jim Atchison, executive director, Southeastern Montana Development and Eastern Montana Impact Coalition (EMIC)
00:18:41 Rick Norby, mayor, City of Sidney
00:19:53 Richard Dunbar, Phillips County Commissioner and president, Oil, Gas and Coal Counties

EXHIBIT(fcs55a01)

00:22:36 Cary Hegreburg, Montana Contractors Association
00:24:51 Renee Rasmussen, superintendent, Bainville Public Schools (BPS)
00:27:37 Jani McCall, Montana League of Cities and Towns
00:28:23 Garth Harmon, taxpayer, representing himself
00:32:03 Rhett Harmon, taxpayer, representing himself
00:32:43 Dustin Harmon, representing himself
00:34:10 Jessica Redfield, City of Sidney
00:35:22 Larry Crowder, member, Culbertson Chamber of Commerce, Culbertson Superintendent of Schools
00:35:55 Gary Amestoy, Dry Redwater Regional Water Authority and himself
00:37:56 Sen. Howard joined the meeting.
00:38:16 John Esp, Montana Association of Counties (MACo)
00:38:48 Scott Aspenlieder, Culbertson, representing himself
00:39:09 Sen. Keane joined the meeting.
00:41:02 Ken Morrison, North-East Rural Schools
00:41:26 Jon Metropoulos, Oil, Gas and Coal Counties
00:44:07 Alan Doane, HD 36

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:45:19 Sen. Brenden
00:45:36 Sen. Keane
00:46:07 Sen. Moore left the meeting.
00:46:23 Mr. Redding, Roosevelt County
00:46:35 Sen. Brenden

00:47:28 Ms. Rasmussen, BPS
 00:49:31 Sen. Rosendale
 00:51:12 Rep. Knudsen
 00:54:30 Sen. Hamlett
 00:55:17 Rep. Knudsen
 00:59:00 Sen. Howard left the meeting.
 01:02:27 Sen. Hamlett
 01:02:55 Rep. Knudsen
 01:03:24 Sen. Keenan
 01:03:30 Rep. Knudsen
 01:03:55 Sen. Keenan
 01:04:00 Rep. Knudsen
 01:04:19 Sen. Hansen
 01:06:40 Mr. Atchison, EMIC
 01:08:34 Sen. Hansen
 01:09:20 Rep. Knudsen
 01:10:54 Sen. Phillips
 01:11:55 Rep. Knudsen
 01:15:09 Sen. Phillips
 01:15:32 Rep. Knudsen
 01:17:30 Sen. Hamlett
 01:18:11 Mr. Aspenlieder, self
 01:19:28 Sen. Webb joined the meeting.

Closing by Sponsor:

01:19:35 Rep. Knudsen
 01:20:45 Chair Jones

HEARING ON HB 111

Opening Statement by Sponsor:

01:21:25 Rep. Keith Regier (R), HD 4, opened the hearing on HB 111, Revise sentencing for felony DUI.

[EXHIBIT\(fcs55a02\)](#)

[EXHIBIT\(fcs55a03\)](#)

01:22:00 Sen. Howard joined the meeting.

Proponents' Testimony:

01:25:09 Jon Bennion, Department of Justice (DOJ)

01:25:44 Lee Sturdevant, Montana Common Sense Coalition (MCSC)

[EXHIBIT\(fcs55a04\)](#)

01:27:36 Mark Murphy, Montana County Attorneys Association (MCAA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:30:30 Sen. Webb
01:30:31 Sen. Sesso and Sen. Wolken joined the meeting.
01:31:09 Mr. Murphy, MCAA
01:32:40 Sen. Webb
01:32:55 Mr. Murphy
01:33:59 Sen. Phillips
01:34:38 Mr. Murphy
01:35:56 Sen. Hamlett
01:36:06 Mr. Murphy
01:36:11 Sen. Hamlett
01:36:24 Mr. Murphy
01:38:25 Sen. Hansen
01:38:54 Mr. Murphy
01:39:39 Sen. Hansen
01:39:54 Mr. Murphy
01:40:55 Sen. Keane
01:41:08 Rep. Regier
01:41:21 Sen. Keane
01:41:37 Rep. Regier

Closing by Sponsor:

01:42:03 Rep. Regier

HEARING ON HB 330

Opening Statement by Sponsor:

01:42:49 Rep. Nicholas Schwaderer (R), HD 14, opened the hearing on HB 330, Establish standards for law enforcement use and acquisition of certain equipment.
01:42:55 Sen. Caferro joined the meeting.
01:43:28 Chair Jones
01:43:53 Rep. Schwaderer
01:45:00 Sen. Windy Boy joined the meeting.

Proponents' Testimony: None

Opponents' Testimony:

01:46:46 Mark Murphy, Montana Chiefs of Police Association (MCPA)
01:50:53 Harold Blattie, Montana Association of Counties (MACo)

Informational Testimony: None

Questions from Committee Members and Responses:

01:55:18 Sen. Phillips
01:55:45 Rep. Schwaderer
01:59:50 Sen. Phillips
02:00:03 Rep. Schwaderer
02:00:45 Sen. Hansen
02:01:02 Rep. Schwaderer
02:02:03 Sen. Hansen
02:02:38 Rep. Schwaderer
02:02:59 Sen. Howard
02:03:24 Mr. Murphy, MCPA
02:04:47 Sen. Howard
02:05:33 Mr. Murphy

Closing by Sponsor:

02:06:52 Rep. Schwaderer

02:09:43 Recess
02:29:52 Reconvened

EXECUTIVE ACTION ON HB 28

02:30:08 **Motion:** Sen. Phillips moved that **HB 28 BE CONCURRED IN.**

02:31:58 **Motion:** Sen. Howard moved that **HB 28 BE AMENDED.**
[EXHIBIT\(fcs55a05\)](#)

Discussion:

02:32:21 Jon Moe, Legislative Fiscal Division (LFD)
02:33:05 Sen. Howard
02:33:20 Sen. Ripley
02:33:55 Sen. Howard
02:34:00 Sen. Ripley
02:34:21 Mr. Moe, LFD
02:34:39 Sen. Howard
02:34:57 Sen. Caferro
02:35:36 Sen. Howard
02:35:42 Sen. Wolken
02:36:16 Sen. Blasdel joined the meeting.
02:36:30 Sen. Brenden
02:37:25 Sen. Hamlett
02:38:14 Sen. Caferro
02:38:41 Sen. Ripley
02:39:14 Sen. Sesso
02:40:09 Sen. Hansen
02:40:25 Chair Jones
02:41:03 Sen. Howard

02:41:07 **Substitute Motion/Vote:** Sen. Caferro moved that **HB 28 BE AMENDED BY SEGREGATING sections 2, 3 AND 9.** Motion carried unanimously by voice vote.

02:41:36 Sen. Phillips
02:41:58 Chair Jones

02:42:26 **Vote:** Motion on the amendment carried unanimously by voice vote.

02:42:41 **Motion/Vote:** Sen. Phillips moved that **HB 28 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Wolken will carry the bill.

EXECUTIVE ACTION ON HB 180

02:43:35 **Motion:** Sen. Windy Boy moved that **HB 180 BE CONCURRED IN.**

02:44:52 **Motion:** Sen. Rosendale moved that **HB 180 BE AMENDED.**
[EXHIBIT\(fcs55a06\)](#)

Discussion:

02:45:42 Sen. Rosendale
02:46:05 Sen. Phillips
02:46:34 Sen. Rosendale
02:46:49 Chair Jones
02:47:19 Sen. Rosendale

02:47:55 **Substitute Motion/Vote:** Sen. Hansen moved to strike "page 15." and insert "page 1, line 5." in section one.

Discussion:

02:48:08 Sen. Hamlett

02:48:43 **Vote:** Motion carried 12-7 by roll call vote with Sen. Brenden, Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Phillips, Sen. Sesso and Sen. Wolken voting no.

02:49:49 **Motion/Vote:** Sen. Windy Boy moved that **HB 180 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Windy Boy will carry the bill.

EXECUTIVE ACTION ON HB 244

02:50:35 **Motion:** Sen. Webb moved that **HB 244 BE CONCURRED IN.**

Discussion:

02:53:29 Jon Moe, Legislative Fiscal Division (LFD)

02:55:31 Chair Jones
02:56:22 Mr. Moe, LFD
02:56:44 Sen. Phillips
02:57:07 Chair Jones
02:57:34 Sen. Phillips
02:58:03 Sen. Hamlett
02:58:15 Chair Jones

02:58:43 **Motion:** Sen. Phillips moved that **HB 244 BE AMENDED.**
[EXHIBIT\(fcs55a07\)](#)

Discussion:

02:59:39 Sen. Hansen
03:00:24 Sen. Keane
03:01:09 Sen. Phillips

03:01:15 **Vote:** Sen. Motion failed 5-14 by roll call vote with Sen. Caferro, Sen. Windy Boy, Sen. Wolken, Sen. Phillips and Sen. Sesso voting aye.

03:02:51 **Motion:** Sen. Keane moved that **HB 244 BE AMENDED.**
[EXHIBIT\(fcs55a08\)](#)

Discussion:

03:03:12 Sen. Hansen

03:03:25 **Vote:** Motion carried unanimously by roll call vote.

03:04:24 **Motion:** Sen. Keane moved that **SB 244 BE CONCURRED IN AS AMENDED.**
Kean moved bill as amend

03:04:31 **Motion:** Sen. Hansen moved that **HB 244 BE AMENDED.**
[EXHIBIT\(fcs55a09\)](#)

Discussion:

03:04:33 Sen. Hansen
03:06:03 Mr. Moe
03:06:37 Chair Jones
03:07:14 Sen. Hansen
03:07:47 Chair Jones
03:08:11 Mr. Moe
03:08:25 Sen. Phillips
03:08:44 Mr. Moe
03:09:03 Sen. Phillips
03:09:09 Sen. Ripley
03:09:28 Sen. Sesso
03:09:29 Sen. Windy Boy left the meeting.
03:10:20 Sen. Hansen

03:10:41 **Vote:** Motion carried 15-3 by roll call vote with Sen. Caferro, Sen. Phillips and Sen. Sesso voting no. Sen. Windy Boy was excused.

03:12:16 **Motion:** Sen. Webb moved that **HB 244 BE CONCURRED IN AS AMENDED.**

Discussion:

03:12:18 Sen. Windy Boy joined the meeting.

03:12:19 Sen. Keane

03:12:55 Sen. Hamlett

03:13:19 Sen. Taylor

03:13:48 Chair Jones

03:13:57 Sen. Brenden

03:14:18 Sen. Taylor

03:14:40 Chair Jones

03:14:45 Sen. Hamlett

03:14:48 Chair Jones

03:15:06 Sen. Sesso

03:15:37 Sen. Keane

03:15:54 Sen. Hamlett

03:16:11 Sen. Keane

03:16:29 **Motion/Vote:** Sen. Hamlett moved that **HB 244 BE AMENDED CONCEPTUALLY.** Motion failed 8-11 by roll call vote with Sen. Brenden, Sen. Caferro, Sen. Hamlett, Sen. Phillips, Sen. Ripley, Sen. Sesso, Sen. Windy Boy and Sen. Wolken voting aye.

Discussion:

03:17:47 Sen. Wolken

03:18:11 Sen. Brenden

03:20:15 Sen. Hamlett

03:20:59 Sen. Hansen

03:21:41 Sen. Sesso

03:22:59 Sen. Phillips

03:23:31 Sen. Keane

03:25:14 Sen. Rosendale

03:26:38 **Vote:** Motion carried 13-6 by roll call vote with Sen. Caferro, Sen. Keane, Sen. Phillips, Sen. Sesso, Sen. Windy Boy and Sen. Wolken voting no. Sen. Ankney will carry the bill.

EXECUTIVE ACTION ON SB 99

03:27:48 **Motion/Vote:** Sen. Keenan moved that **SB 99 DO PASS.** Motion carried 13-6 by roll call vote with Sen. Caferro, Sen. Keenan, Sen. Phillips, Sen. Sesso, Sen. Windy Boy and Sen. Wolken voting no.

03:29:30 Chair Jones

03:30:34 Jon Moe, Legislative Fiscal Division (LFD)

ADJOURNMENT

Adjournment: 11:35 a.m.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([fcs55aad.pdf](#))